

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - R&B Department- Nellore District - Execution of substandard works – Disciplinary proceedings initiated against Sri G. Venkateswara Rao, Dy.EE (R&B) and (4) others - Enquiry conducted- Punishment of stoppage of one increment without cumulative effect imposed – APAT set aside the punishment – Modified – Orders – Issued

TRANSPORT, ROADS AND BUILDINGS (VIG.II) DEPARTMENT

G.O.Rt.No. 532

Dated:29-4-2009
Read the following:-

1. G.O.Rt.No.1001, TR&B(Vig.II) Dept., Dt.18-11-2004.
2. From the Hon'ble APAT, Order dt.16-06-2006 in O.A. No. 270/2005.
3. G.O.Rt.No.1116, TR&B(Vig.II) Dept., Dt.30-10-2006.
4. Govt. Memo No.2707/Vig.II/2000-38, dt.23-4-2008,
5. From Sri K.Chandra Sekhar Reddy, Dy. EE (R&B) (Retd.), representation dt.17-8-2008.
6. From the Secretary, APPSC, Lr.No.1733/RT.I/3/2009, dt.19-3-2009.

ORDER :-

In the G.O. 1st read above, orders were issued imposing the punishment of stoppage of one increment without cumulative effect on the following officials for the execution of substandard road works in Nellore District:-

1. Sri BV. Raghavendra Rao, AE(R&B)
 2. Sri RV. Seshaiyah, Dy.EE(R&B)
 3. Sri K. Damodar Reddy, AEE(R&B)
 4. Sri G. Venkateswara Rao, Dy.EE(R&B)
 5. Sri K. Chandrasekhara Reddy, Dy.EE(R&B) (now Retd.)
2. Aggrieved by the said orders Sri G. Venkateswara Rao, Dy.EE(R&B) has filed OA No.270 of 2005 in APAT and the Hon'ble APAT in its order dt.16-6-2006 has set aside the orders issued in G.O.Rt.No.1001, TR&B(Vig.II) Dept., Dt.18-11-2004, stating that statutory rules are not followed in the matter.
3. Accordingly, orders were issued in G.O.Rt.No.1116, TR&B (Vig.II) Dept., Dt.30-10-2006, rescinding the orders issued in G.O.Rt.No.1001, Dt.18-11-2004. Further, as per APCS(CCA) Rules, 1991 a copy of the Enquiry report was communicated to the above mentioned officers with a direction to submit their representation, if any, on the findings of the Enquiry Officer.
4. After careful examination of the representations of the delinquent officers, among others, Govt. have taken a provisional decision to impose the punishment of 2% cut in pension for one year against Sri K.Chandra Sekhar Reddy, Dy. EE(R&B) (Retd.). A show cause notice was issued with to him for his representation if any on the proposed penalty.
5. In the reference 5th read above, Sri K.Chandra Sekhar Reddy, Dy. EE (R&B) (Retd.) has stated that as he has retired from service on 30-6-2004 AN, the orders issued in G.O.Rt.No.1001, dt.18-11-2004 could not be implemented and an amount of Rs.8,004/- equivalent to stoppage of one increment without cumulative effect was deducted from his gratuity. In case Govt. are not pleased to drop the penalty, he has requested to refund the

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excess amount already deducted from his retirement gratuity i.e., Rs.5,832/- as detailed below:-

Original pension per month	:Rs. 9,050/-
Amount of 2% cut in pension per month	:Rs. 181/-
Amount recoverable for 12 months	:Rs.2,172/-
Amount already recovered from retirement	:Rs.8,004/-
Amount refundable (Rs.8,004 – Rs.2,172/-)	: Rs.5,832/-

6. The Andhra Pradesh Public Service Commission who have been consulted in the matter, have agreed with the proposal of the Government, to impose the punishment of penalty of 2% cut in pension for a period of one year and also advised to take necessary steps to reimburse the amount already recovered from Sri K. Chandra Sekhar Reddy, Dy.EE(R&B)(Retd.) to avoid double punishment.

7. After careful examination of the matter, Government have decided to confirm the provisional punishment of 2% cut in pension for a period of one year on Sri K.Chandra Sekhar Reddy, Dy. EE (R&B) (Retd.) and to reimburse the deferential amount to him to avoid double punishment.

8. Accordingly, Government hereby impose the punishment of 2% cut in pension for a period of one year on Sri K.Chandra Sekhar Reddy, Dy., EE (R&B) (Retired).

9. The Engineer-in-Chief (R&B) Admn. & NH shall take further necessary action in the matter to reimburse the deferential amount to Sri K.Chandra Sekhar Reddy, Dy. E.E., (R&B) (Retd.) accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.CHATTERJEE
PRL. SECRETARY TO GOVERNMENT

To
Sri K.Chandra Sekhar Reddy, Dy. EE (R&B) (Retd)
through the ENC(R&B) Admn. & NH, Hyderabad.
The ENC(R&B), Admn. & NH, Hyderabad.
The Secretary, A.P.P.S.C., Hyderabad
(w.r.t. their Lr.No.1733/RT.I/3/09, dt.19-3-2009)
The Accountant General, A.P. Hyderabad.
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER